

SP

AO 91 (Rev. 5/85) Criminal Complaint

## United States District Court

Southern

DISTRICT OF

Alabama

UNITED STATES OF AMERICA

v.

## CRIMINAL COMPLAINT

LARRY DOUGLAS MCPHERSON  
25901 OVERTON DRIVE  
DAPHNE, AL 36526

MS 10-0089-C

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. From 4/11/2010 to 6/21/2010 in Baldwin county, in the Southern District of Alabama defendant(s) did, (Track Statutory

Language of Offense)

Did knowingly use a facility or means of interstate commerce (computer / Yahoo email service) to entice a minor to engage in sexual activity.

in violation of Title 18 United States Code, Section(s) 2422 (b) and

I further state that I am a(n) Special Agent of the FBI and that this complaint is based on the following facts:  
Official Title

See Attached Affidavit.

Continued on the attached sheet and made a part hereof: ☒ Yes☐ No

Forster Paul Rosh  
Signature of Complainant

Sworn to before me and subscribed in my presence,

Special Agent  
Federal Bureau of Investigation

June 22, 2010 @ 3:30 pm at  
Date

Mobile, Alabama

City and State

William E. Cassady  
U.S. Magistrate Judge  
Name & Title of Judicial Officer

William E. Cassady  
Signature of Judicial Officer

**AFFIDAVIT**

Affiant, Arthur Paul Roche, being duly sworn states as follows:

1. I have been employed as a Special Agent with the Federal Bureau of Investigation (FBI) since April 25, 1999. I am currently assigned to the Mobile (Alabama) Division. I am authorized to investigate violations of Federal Laws, including Title 18, U.S. Code, Section 2422(b) (Use of a facility of interstate commerce to entice a minor to engage in sexual activity). Prior to my employment with the FBI, I was a U.S. Army Officer in the Military Police Corps for five years. For reasons I will detail below, I believe that Larry Douglas McPherson is involved in violations of Federal Law.

2. This Affidavit is made in support of an Application for a Complaint charging Larry Douglas McPherson with violations of Federal Law, specifically 18 USC 2422(b) (Use of a facility of interstate commerce to entice a minor to engage in sexual activity).

3. The information contained in this affidavit is from my personal knowledge and from information provided to me by witnesses involved in this investigation.

4. Ashley McPherson (hereafter referred to as Ashley) contacted the FBI office in Mobile, AL to report that her father, Larry Douglas McPherson (hereafter referred to as McPherson) had left a video camera in her home for her 15 year old daughter (hereafter referred to as B.A.) to use. McPherson is B.A.'s maternal grandfather. Ashley and B.A. live in Pelham, Alabama. McPherson lives in Daphne, Alabama. While having dinner at a restaurant in Pelham, Alabama with Ashley and B.A., McPherson told B.A. that he had bought a video camera for her and that he would hide it under the bed in her bedroom. McPherson told B.A. not to tell her mother about it. McPherson told B.A. this while her mother, Ashley, had gone to the restroom at the restaurant. McPherson left the video camera for B.A. and then communicated with her via email that she had a "beautiful body" and he wanted to see it "close up". McPherson told B.A. that she could take recordings of herself and leave the camera somewhere outside her house where he could "drive up at night" to retrieve it. McPherson told B.A. that the pictures were "only for my entertainment". B.A. told

Ashley about the video camera and Ashley contacted the FBI office in Mobile, Alabama and reported this to the Affiant.

5. Ashley gave the Affiant permission to assume control of B.A.'s email account Brookie4240@yahoo.com in order to continue communications with McPherson. The email account that McPherson was using to communicate with B.A. was DM344@aol.com.

6. On 6/01/2010, the Affiant sent an email from B.A.'s email account to McPherson's email account. This began a series of back and forth email communications between the Affiant and McPherson. The Affiant sent a picture of B.A. that was taken at her prom to McPherson. McPherson stated that he had printed the picture out and that he kept it on his desk. In the email communications the Affiant sought to clarify what type of recordings McPherson wanted them to make with the video camera. McPherson stated that he wanted her to record her full view front and back and a close up of her vagina. McPherson also stated in the emails that B.A. was beautiful and that he wanted her to use her toothbrush or a finger to masturbate. McPherson stated that he would teach her how to do this correctly so that she would come and that he would also teach her about oral sex. McPherson also instructed B.A. to be sure to "delete our emails after reading" them. McPherson also asked if B.A. knew anything about oral sex. He stated that oral sex was "a lot of fun and feels great". McPherson also stated that he and B.A. could try oral sex too.

7. The Affiant sent an email to McPherson stating that B.A. had been invited by a friend of her's from school to go with her family to stay at the Wharf Condo complex in Orange Beach, Alabama. McPherson responded that he wanted B.A. to go riding with him on his jet ski or even for B.A. to stay with him for the remainder of the week and he would then bring her home. McPherson asked B.A. to ask her mother if she could do this and then said to call him at phone number 251-716-3910. The Affiant responded by email to McPherson stating that B.A.'s mother had gave her permission to go ride the jet ski with him and spend the day with him. The Affiant told McPherson in the email that B.A. would bring the video camera and the tape with her and she would give it to him. The Affiant told McPherson that the tape was of B.A. without her clothes on and laying down in her bed and of her masturbating.

8. A database check by the Affiant confirmed that phone number 251-716-3910 is an AT&T cell phone number. The name listed for that number on the database check is Doug McPherson. On 7/21/2010, Ashley confirmed to the Affiant that the phone number 251-716-3910 was the cell phone number for her father Larry Douglas McPherson.

9. On 6/21/2010, McPherson sent an email stating that he would like to pick B.A. up at the Wharf Condo around 8:00-8:30AM. In this email McPherson states that he wants to watch the video that he thinks B.A. has made showing her naked and masturbating. McPherson stated that he and B.A. can make "more video with us both in it together". In the email McPherson also instructs B.A. to be sure to delete all of their email communications and not to say anything if they talk on the phone because her mother may listen in.


10. A meeting was arranged for McPherson to pick up B.A. at the Wharf Condo complex at 8:00AM on Tuesday 6/22/2010. At 7:00AM on Tuesday 6/22/2010 the Affiant and other law enforcement officers were in the back parking lot of the Rave Movie Theater at the Wharf Condo complex when they observed McPherson driving his Ford Excursion coming down the bridge over the Intracoastal Waterway on the Foley Beach Express going South. McPherson continued south and then took a left heading East on Highway 180. McPherson passed the entrance to the Wharf Condo complex and continued East on Highway 180. The Affiant and other law enforcement officers followed McPherson and conducted a traffic stop of McPherson approximately one mile east of the Wharf Condo complex. McPherson was told he was under arrest and was advised of his Miranda rights and then transported to the Orange Beach Police Department.

11. At the Orange Beach Police Department McPherson was again advised of his Miranda rights by the Affiant. McPherson was interviewed by the Affiant and Special Agent Marya Wilkerson FBI. McPherson confirmed that the email account dm344@aol.com was his and he was the only person who had access to it. McPherson admitted that he had placed the video camera in B.A.'s bedroom at her home in Pelham, Alabama and that he had communicated with her via email about taking videos of herself nude and masturbating. McPherson stated that he had came to Orange Beach that morning to take B.A. out on his jet ski. McPherson stated that he was ashamed of what he had done. McPherson stated the computer he used to send the


emails to B.A. was located at his home at 25901 Overton Drive, Daphne, AL 36526. He also stated the prom picture of B.A. that he printed out was also in his home.

12. McPherson stated that his cell phone number was 251-716-3910 and that the cell phone was in his Ford Excursion SUV. McPherson provided written consent for the FBI to conduct searches of his Ford Excursion SUV, his home at 25901 Overton Drive, Daphne, AL 36526, the computers that are in his home, and for his email accounts.

13. Based upon the previously mentioned facts, the Affiant respectfully submits that Larry Douglas McPherson has violated Federal Law, specifically Title 18, U.S. Code, Section 2422(b) (Use of a facility of interstate commerce to entice a minor to engage in sexual activity).

  
Arthur Paul Roche  
Special Agent  
Federal Bureau of Investigation  
Mobile, Alabama

Subscribed and sworn to before me this 22 day of June 2010.

  
William E. Cassady  
United States Magistrate Judge  
Southern District of Alabama  
Mobile, Alabama